

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DECISION & ORDER**



In the Matter of the Request for Preliminary Plat (PP) consisting of 31 building lots and three (3) common lots on 38.99 acres of land in the C-G and R-40 zoning districts AND Conditional Use Permit for a Multi-family Development consisting of 390 Residential Dwelling Units in the R-40 Zoning District, by KM Engineering, LLP.

Case No(s). H-2024-0010

For the City Council Hearing Date of: November 19, 2024 (Findings on December 3, 2024)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of November 19, 2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of November 19, 2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of November 19, 2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of November 19, 2024, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of November 19, 2024, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the City Council's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for preliminary plat and conditional use permit is hereby approved per the conditions of approval in the Staff Report for the hearing date of November 19, 2024, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

Please take notice that approval of a preliminary plat, combined preliminary and final plat, or short plat shall become null and void if the applicant fails to obtain the city engineer's signature on the final plat within two (2) years of the approval of the preliminary plat or the combined preliminary and final plat or short plat (UDC 11-6B-7A).

In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval (UDC 11-6B-7B).

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-6B-7.A, the Director may authorize a single extension of time to obtain the City Engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of Meridian City Code Title 11. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC 11-6B-7C).

Notice of Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.G.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as

determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the conditional use comply with the current provisions of Meridian City Code Title 11(UDC 11-5B-6F).

E. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of November 19, 2024

By action of the City Council at its regular meeting held on the _____ day of _____, 2024.

COUNCIL PRESIDENT LUKE CAVENER VOTED _____

COUNCIL VICE PRESIDENT LIZ STRADER VOTED _____

COUNCIL MEMBER DOUG TAYLOR VOTED _____

COUNCIL MEMBER JOHN OVERTON VOTED _____

COUNCIL MEMBER ANNE LITTLE ROBERTS VOTED _____

COUNCIL MEMBER BRIAN WHITLOCK VOTED _____

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)

Mayor Robert E. Simison

Attest:

Chris Johnson
City Clerk

Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office

STAFF REPORT**COMMUNITY DEVELOPMENT DEPARTMENT**

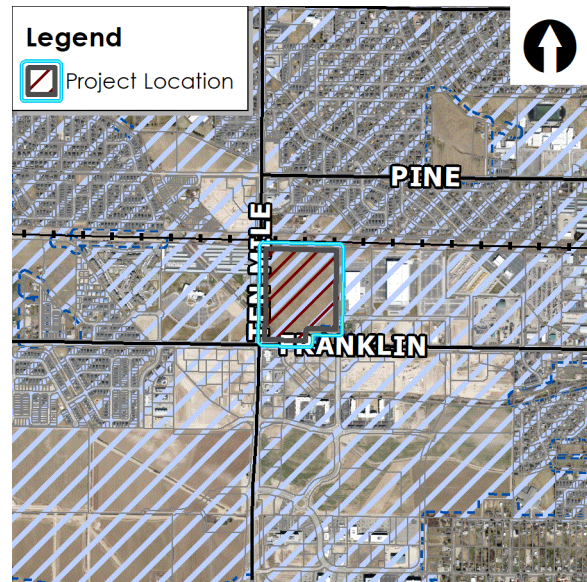
HEARING DATE: November 19, 2024

TO: Mayor & City Council

FROM: Bill Parsons, Current Planning Supervisor
208-884-5533

SUBJECT: The Gateway at Ten Mile PP, CUP
[H-2024-0010](#)

LOCATION: NEC of W. Franklin Rd. & N. Ten Mile Rd., in the West ½ of the SW ¼ of Section 11, Township 3N., Range 1W. (Parcel: S1211336065)

**I. PROJECT DESCRIPTION**

Preliminary plat (PP) consisting of 31 buildable lots and 3 common lots on 38.99+/- acres of land zoned C-G and R-40 for The Gateway at Ten Mile; and a Conditional use permit (CUP) for a multi-family development containing a total of 390 residential dwelling units in the R-40 zoning district.

II. SUMMARY OF REPORT**A. Project Summary**

Description	Details	Page
Acreage	38.99-acres (plat boundary)	
Future Land Use Designation	Mixed Use – Commercial (MU-COM) with a small area of Civic in the Ten Mile Interchange Specific Area Plan (TMISAP)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Commercial, multi-family development	
Current Zoning	General Retail and Service Commercial District (C-G) & High-Density Residential (R-40)	
Proposed Zoning	NA	
Lots (# and type; bldg/common)	31 buildable lots/3 common lots	
Phasing plan (# of phases)	A Phasing Plan was not submitted	
Number of Residential Units (type of units)	390 units (200 one-bedroom, 174 two-bedroom, and 16 three-bedroom units)	

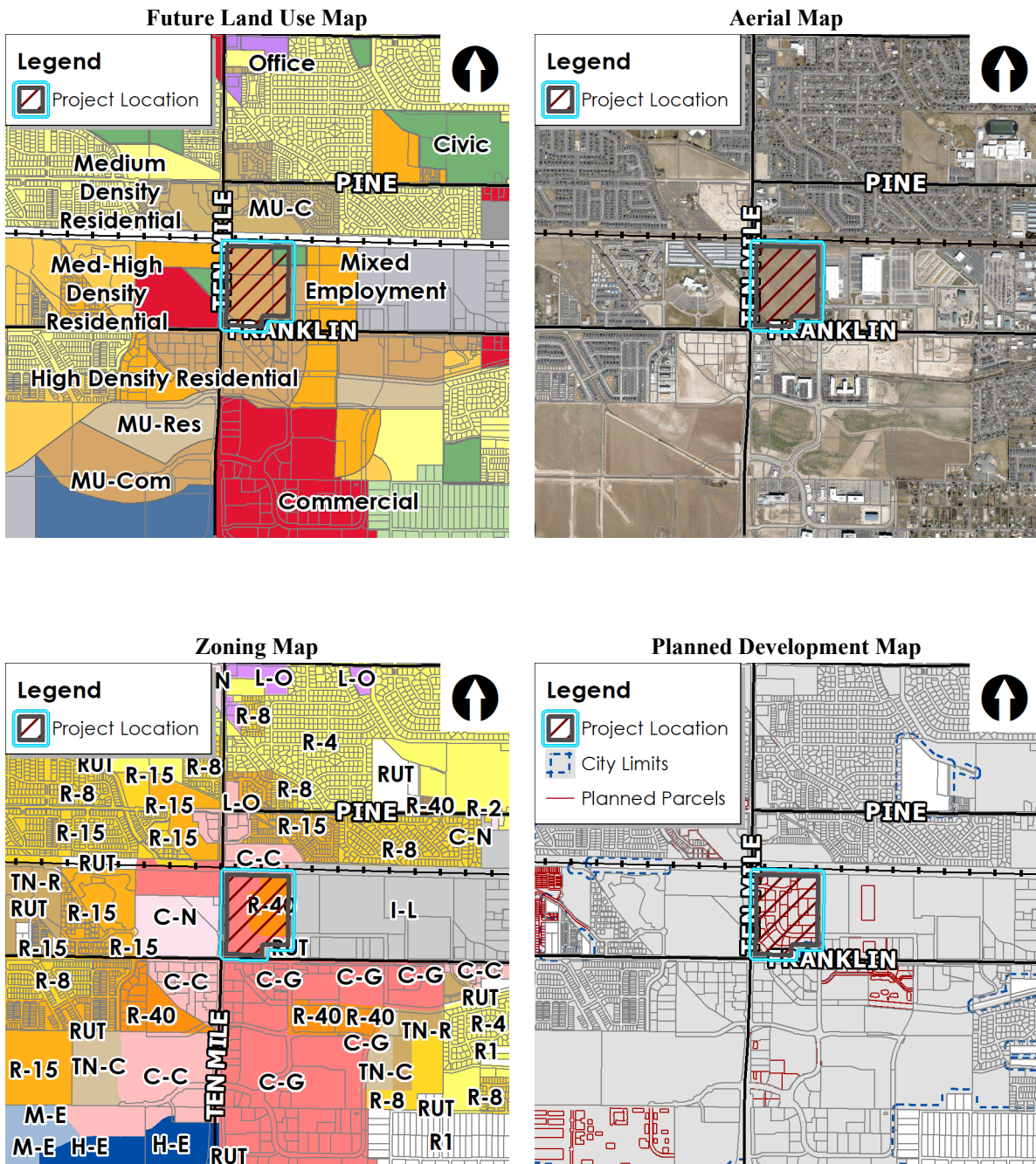
Density (gross & net)	10 (gross) units/acre	
Open Space (acres, total [%] / buffer / qualified)	4.44 acres	
Amenities	A clubhouse with a swimming pool, fitness center, pickleball court, two 5,000 square foot open space areas, a dog park, and bike repair shop.	
Physical Features (waterways, hazards, flood plain, hillside)	The Ten Mile Creek bisects a small portion of the southwest corner of the lot.	
Neighborhood meeting date; # of attendees:	February 21, 2024; no attendees other than the Applicant	
History (previous approvals)	H-2020-0046 (DA Inst. #2021-082775 – Gateway at 10 Mile)	

B. Community Metrics

Description	Details	Page
Ada County Highway District	See Link to the Staff Report in Section IX below.	
• Staff report (yes/no)	Yes	
• Requires ACHD Commission Action (yes/no)	No	
Traffic Impact Study (yes/no)	Yes	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via W. Franklin Rd., N. Ten Mile Rd. as shown on the plat.	
Traffic Level of Service	W. Franklin Rd. – better than “E”/existing plus project “; S. Ten Mile Rd. – “F” (acceptable level of service is “E”)	
Stub Street/Interconnectivity/ Cross Access	There is a stub street on the east boundary of this site (W. Fred Street) that is extended to the west then runs north through this site.	
Existing Road Network	There are no existing internal roadways within the site; W. Franklin Rd. and N. Ten Mile Rd. are existing arterial streets that border the site along the south and west boundaries.	
Existing Arterial Sidewalks / Buffers	Curb, gutter and a 7-foot wide attached asphalt path exists along N. Ten Mile Rd. Curb, gutter and a 7-foot wide attached (near the intersection) and 5-foot wide detached (outside of the influence area of the intersection) concrete sidewalk exists along W. Franklin Rd. No buffers exist on this site along either roadway.	
Proposed Road Improvements	There are no roadways, bridges or intersections in the general vicinity that are in the IFYWP or the CIP.	
Fire Service		
• Distance to Fire Station	2 miles from Station #2	
• Fire Response Time	Within 5-minute response time goal	
• Resource Reliability	74% (goal is 80% or greater)	
• Risk Identification	4 – current resources would <i>not</i> be adequate to supply service to this project.	

Description	Details	Page												
• Accessibility	Meets all required access, road widths and turnarounds													
• Special/resource needs	Will require an aerial device – can meet this need in the required time frame if a truck company is required.													
• Water Supply	Will vary depending on building size and occupancy types.													
• Other														
Police Service	See Section IX.D													
West Ada School District														
• Distance (elem, ms, hs)	West Ada School District has experienced significant and sustained growth in student enrollment during the last 10 years. Based on current enrollment data specific to the area surrounding this proposed development, development consisting of 0 single-family units and 390 multi-family units could house approximately 511 children. Approval of this application will affect enrollments at the following schools in West Ada School District: <table><tr><td></td><td><u>Enrollment</u></td><td><u>Capacity</u></td></tr><tr><td>Chaparral Elementary School</td><td>543</td><td>700</td></tr><tr><td>Meridian Middle School</td><td>955</td><td>1250</td></tr><tr><td>Meridian High School</td><td>1769</td><td>2075</td></tr></table>		<u>Enrollment</u>	<u>Capacity</u>	Chaparral Elementary School	543	700	Meridian Middle School	955	1250	Meridian High School	1769	2075	
		<u>Enrollment</u>	<u>Capacity</u>											
Chaparral Elementary School		543	700											
Meridian Middle School		955	1250											
Meridian High School	1769	2075												
• Capacity of Schools														
• # of Students Enrolled														
• Predicted # of students generated from proposed development	51 school-aged children													
Wastewater														
• Distance to Sewer Services	Directly adjacent													
• Sewer Shed														
• Estimated Project Sewer ERU's	See Application													
• WRRF Declining Balance														
• Project Consistent with WW Master Plan/Facility Plan	Yes													
• Impacts/Concerns	• Flow is committed • See Public Works Site Specific conditions in Section IX.B													
Water														
• Distance to Water Services	Water available at site													
• Pressure Zone	2													
• Estimated Project Water ERU's	See application													
• Water Quality	None													
• Project Consistent with Water Master Plan	Yes													
• Impacts/Concerns	See Public Works Site Specific Conditions in Section IX.B													

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Stephanie Hopkins, KM Engineering, LLP. – 5725 N. Discovery Way, Boise, ID 83713

B. Owner:

Trevor Gasser, GFI – Meridian Investments II, LLC – 2954 W. Franklin Road, Meridian, ID 83642

- C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	9/17/2024	10/20/2024
Radius notification mailed to properties within 500 feet	9/13/2024	10/17/2024
Public hearing notice sign posted on site	9/16/2024	10/15/2024
Nextdoor posting	9/12/2024	10/16/2024

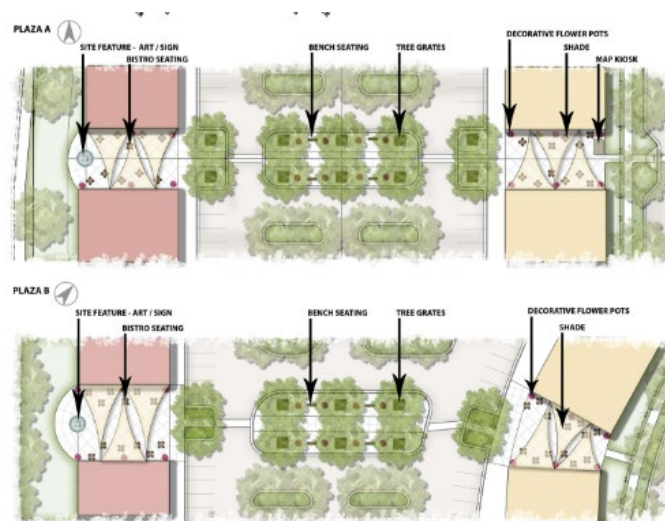
V. COMPREHENSIVE PLAN ([HTTPS://WWW.MERIDIANCITY.ORG/COMPPLAN](https://www.meridiancity.org/compplan)):

LAND USE: The property is designated Mixed -Commercial (MU-COM) and Civic on the Future Land Use Map (FLUM) in the [Comprehensive Plan](#). This property is located within the area governed by the [Ten Mile Interchange Specific Area Plan](#) (TMISAP).

The purpose of the MU-COM designation is to encourage the development of a mixture of office, retail, recreational, employment, and other miscellaneous uses, with supporting multi-family or single-family attached residential uses (see pg. 3-9 in the TMISAP for more information).

Mixed-use designated areas in the TMISAP are recommended locations for development of activity centers that are specifically planned to include both residential and non-residential uses. Mixed-use areas are anticipated to have 3 or more significant income-producing uses (i.e. retail, office, residential and lodging facilities) with significant functional and physical integration in conformance with a coherent plan (pgs. 3-7 & 3-8).

The site is proposed to develop 17 commercial lots with uses that may include retail, restaurants, personal and professional services, and office uses as shown on the site plan in Section VIII.H. Additionally, the Applicant has provided plaza and seating areas in the commercial areas that will be easily accessible and approachable to residents and patrons (refer to figures below).

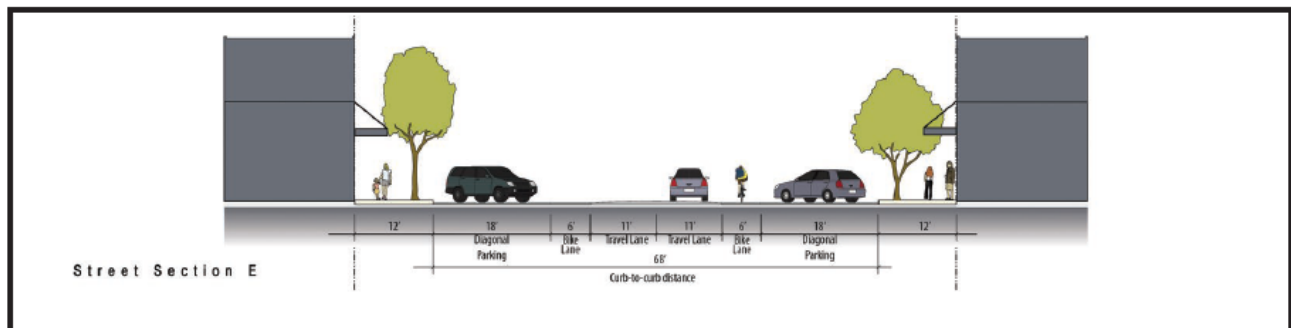


The multi-family complex consists of six four-story interior corridor-style buildings and five three-story townhome-style buildings, all featuring flat roofs and contemporary finishes (200 1-bedroom, 174 2-bedroom units, and 16 three-bedroom units). Additionally, amenities include a clubhouse, swimming pool, fitness center, pickleball court, three 5,000 square foot open spaces, a dog park, and a bike repair station located within the central open space. The proposed development encompasses a total of 390 residential units and 17 commercial lots on the overall site. Bicycle and pedestrian connections with decorative street crossings are integrated throughout the site, allowing residents of the multi-family portion of the development and visitors to travel within both the commercial and residential areas, as shown in Section VIII, Exhibit D.

Staff finds the mix of income-producing uses proposed as well as the vertical and horizontal integration of such uses and residential densities interconnected by pedestrian walkways and amenities is generally consistent with the goals of the TMISAP for this area.

Transportation: W. Franklin Rd. and N. Ten Mile Rd. are existing 5-lane arterial streets that run along the south and west boundaries of the site and are fully built out.

S. Wayfinder Avenue and W. Fred Smith Street are proposed to be extended as collector streets from W. Franklin Road at the southeast corner and off-site along the eastern boundary of the site consistent with the Master Street Map in the Comprehensive Plan and the Transportation System Map in the TMISAP. The Transportation System Map depicts the Ten Mile intersection with Wayfinder Avenue as a full access. The Street Section Map depicts this segment of Wayfinder as Street Section E, which is a towncenter collector street per the Transportation System Map. Buildings on such streets are built to the sidewalk and tree-wells are required. The pedestrian experience is enhanced with 12-foot sidewalks, street trees in wells, and pedestrian scale lighting. Ample on-street diagonal parking supports the businesses within the Lifestyle Center and in Mix Use Commercial area. This section may be modified to allow parallel parking as a local section in these areas. A 5-foot wide dry-utilities corridor should be provided along both sides of the street curb. Both wet utilities may be located in the street. Streetlights should be placed in the dry utilities corridor on either side of the street.



Design: Conceptual building elevations were submitted for the multi-family residential structures and the associated clubhouse. The design of the proposed multi-family structures appears to be of a high quality and are generally consistent in style, materials and colors. Elevations weren't submitted for the commercial portion of the development as tenants are unknown at this time. **Final design of the site and all structures is required to comply with the design elements of the TMISAP per the Application of Design Elements matrix on pg. 3-49 of the TMISAP and the design standards in the Architectural Standards Manual in accord with the Development Agreement (Inst. #2021-082775, provision #5.1j).** The commercial portion of the development should incorporate similar design elements, colors and materials as the residential portion of the development.

Goals, Objectives, & Action Items: Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian’s present and future residents.” (2.01.02D)

A variety of multi-family housing is proposed in this development consisting of interior corridor-style buildings and townhome-style buildings, all featuring flat roofs and contemporary finishes, which will contribute to the variety of housing types in the City, specifically in the Ten Mile area as desired, that should cater to different financial capabilities.

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

City water and sewer services are available and can be extended by the developer with development in accord with UDC 11-3A-21.

The West Ada School shows capacity at area schools below capacity currently serving this area.

- “Locate higher density housing near corridors with existing or planned transit, Downtown, and in proximity to employment centers.” (2.01.01H)

The site is located at a major intersection along two major mobility arterials (Franklin and Ten Mile Roads) and in close proximity to employment centers. Transit services exist in the Ten Mile Crossing development to the south at the intersection of Vanguard/Wayfinder to serve this area – other transit stops may be added in the future. Transit services are available to serve this site via Route 40. Lots 4 and 5, Block 1 align with the future land use map designation of “Civic” and have been preserved to comply with DA Provision 5.1.d. Currently, Valley Regional Transit does not have any specific plans for a transit center in this location.

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)

The proposed project with multi-family residential and commercial with nearby employment (retail/office uses) and restaurant uses, should provide a good mix of uses that residents won’t have to travel far for, thus reducing vehicle trips and enhancing overall livability and sustainability.

- “Slow the outward progression of the City’s limits by discouraging fringe area development; encourage development of vacant or underutilized parcels currently within City limits.” (4.05.03B)

This property is an enclave currently annexed into the City and surrounded by other annexed land. The development of this property will maximize public services.

- “Improve and protect creeks and other natural waterways throughout commercial, industrial and residential areas.” (4.05.01D)

The Ten Mile Creek runs through the site’s southwest corner and is proposed to be preserved as a natural amenity on Lot 10, Block 3. The Applicant should protect and enhance Ten Mile Creek by adding planters with trees, shrubs, and boulders to match the landscaping Brighton installed around the creek across the street.

- “Require collectors consistent with the ACHD Master Street Map (MSM), generally at/near the mid-mile location within the area of City impact.” (6.01.03B).

A Collector street (Wayfinder Avenue) is proposed along the eastern boundary of the site, intersecting with the proposed continuation of W. Fred Street (local street) running west, consistent with the

MSM.

- Provide housing options close to employment and shopping centers”. (3.07.02D)

This project is proposed as a mixed-use development, offering both residential and employment opportunities within the same area. Additionally, the area immediately south of the subject site, in the Ten Mile Center Subdivision, is filled with commercial and employment development.

Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan as discussed above and is consistent with the approved Development Agreement.

VI. STAFF ANALYSIS

A. PRELIMINARY PLAT

A preliminary plat (PP) consisting of 31 buildable lots on 38.99+/- acres of land in the C-G and R-40 zoning districts is proposed for The Gateway at 10 Mile (see Section VIII.A). The Applicant has not yet submitted a phasing plan. Staff recommends that the Applicant provide, or be prepared to discuss a phasing plan at the public hearing. Additionally, the development agreement requires the Applicant to connect to W. Fred Smith Street from the east. Staff recommends that the plat illustrates the connection from the east.

Existing Structures/Site Improvements:

There are no existing structures on this site. Curb, gutter, and a 7-foot wide attached sidewalk exist along N. Ten Mile Rd. Curb, gutter, and 7-foot wide attached and 5-foot detached sidewalk exist along W. Franklin Rd.

Dimensional Standards (UDC [11-2](#)):

The proposed plat and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2A-8](#) for the R-40 zoning district and [Table 11-2B-3](#) for the C-G zoning district.

In the R-40 district, residential buildings shall provide a minimum setback of ten (10) feet unless a greater setback is otherwise required per Building Code.

In the C-G district, there are no minimum setback requirements; however, future buildings may not encroach within required street buffers and residential structures must have a minimum 20-foot separation between structures per Building Code.

Access (UDC [11-3A-3](#)):

Access is proposed via three roads: W. Franklin Rd., a commercial arterial; N. Ten Mile Rd., a residential mobility arterial; and the future extension of N. Wayfinder Avenue, a towncenter collector street designated as N. Innovation Lane on the plat. However, the Applicant inaccurately labeled the collector street as S. Innovation Lane on the plat, whereas S. Innovation Lane is located farther west across Franklin Road and functions as a local street. South Wayfinder Avenue lines up directly to the development's south across Franklin Road. **Staff recommends that the Applicant correct the name of the future collector street on the plat.**

Two (2) access driveways are proposed via W. Franklin Rd. – one (1) right-in/right-out only (Private Street A), 565-feet east of Ten Mile Rd. and one (1) full-access, east of Ten Mile Rd. (Wayfinder Avenue -future collector to be built). Upon dedication of the required right of way by third parties, the Applicant shall construct half plus twelve feet of the future collector street adjacent to the property's southeast corner, as shown on the preliminary plat. ***The City supports the additional access to Franklin Road because the completion of the collector roadway is contingent upon the owners of the adjacent properties to the southeast (parcels S1211336300 & S1211336401) ACHD has approved the full access for the future collector to be built as a full access and the right-in/right-out only as proposed***

with Private Street A. Staff recommends depicting Private Street A as a drive aisle on the plat because it does not meet the private street standards outlined in UDC 11-3F-4.

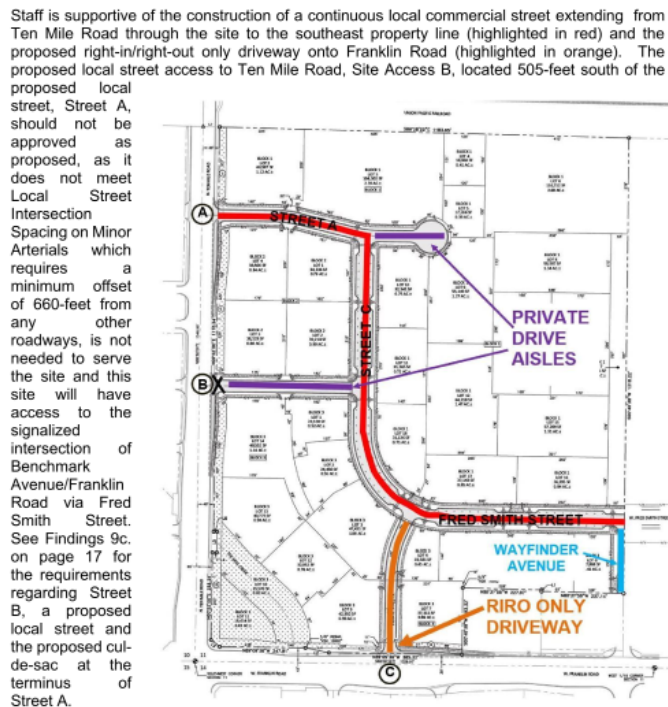
Two (2) access driveways are proposed via S. Ten Mile Rd. – two (2) full-accesses, 825-feet north of Franklin Rd. (Public Street B) and one (1) 1,330-feet north of Franklin Rd. (Public Street A). **Where access to a local street is available, the Applicant shall reconfigure the site circulation plan to take access from the local street (Public Street C) in accordance with UDC 11-3A-3. Staff recommends removing the access for Public Street B on Ten Mile Road from the plat limiting the number of access points on a busy arterial street near an intersection per UDC 11-3A-3. The proposed commercial lots can take access from Public Street C.**

The following existing driveways are to be closed per ACHD's conditions of approval:

Close the existing driveway onto Franklin Road located 712-feet east of Ten Mile Road with vertical curb, gutter, a 5-foot wide planter strip and 5-foot wide detached concrete sidewalk to tie into the existing improvements on either side, as proposed.

Close the three existing driveways onto Ten Mile Road located 260, 610 and 970-feet north of Franklin Road with vertical curb, gutter and 7-foot wide attached concrete sidewalk to tie into the existing improvements on either side.

Other than the accesses specifically approved with this application, direct lot access is prohibited to Franklin Road and Ten Mile Road and should be noted on the final plat (refer to figure below).



A Fire Protection Access/Phasing plan was not submitted with this application, which is included in the Fire Dept. comments in Section IX.C.

Based on ACHD's traffic counts, with development of this property Franklin Rd. will still operate at an acceptable level of service (i.e. "E") but Ten Mile Rd. will not ("F"). An acceptable level of service is "E" (refer to below).

Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Franklin Road between Ten Mile Road and Wayfinder Avenue	724-feet	Principal Arterial	925	Better than "E"
Ten Mile road between Site Access A and Franklin Road	1,486-feet	Minor Arterial	1,555	"F"

- * Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH).
- * Acceptable level of service for a seven-lane principal arterial is "E" (2,720 VPH).
- * Acceptable level of service for a five-lane minor arterial is "E" (1,540 VPH).

Road Improvements: Ten Mile Rd. and Franklin Rd. are fully improved with 5-lanes; road widening is not required.

The Applicant proposes extending W. Fred Smith Street from east to west, then turning into Public Street C heading north. *The Applicant should connect into Fred Smith Street from the east and construct Street C and Fred Smith Street as a 36-foot wide local commercial street sections with 2-travel lanes, parking on both sides of the roadway, vertical curb, gutter, and bulb-outs at intersections and pedestrian crossings with an 8-foot planter strip and 10-foot wide multi-use pathways on both sides of the roadway.*

The Applicant proposes constructing Public Street A to run east-west along the northwest portion of this site, ending at the southwest corner of the proposed future Civic site, as required by the Development Agreement (#2021-082775). *The Applicant should construct Street A between Ten Mile Road and Street C as a 36-foot wide street section with 2-travel lanes, , vertical curb, gutter, an 8-foot wide landscape strip, and 10-foot wide detached concrete sidewalk.*

The Applicant proposes to construct a portion of Wayfinder Avenue to the site's east property line. *The Applicant should construct a temporary cul-de-sac turnaround at the terminus of Wayfinder Avenue with a minimum of a 50-foot paved turning radius in accordance with ACHD's conditions of approval.*

The Applicant should construct the following turn lanes in accordance with ACHD's conditions of approval:

Construct a dedicated westbound right-turn lane on Franklin Road, as proposed, when Site Access C, a driveway, is constructed to intersect Franklin Road located 565-feet east of Ten Mile Road. Coordinate the design of the turn lane with ACHD's Development Review staff.

Construct a dedicated northbound right-turn lane, on Ten Mile Road, when Site Access A, a local street is constructed to intersect Ten Mile Road located 1,330-feet north of Franklin Road. Coordinate the design of the turn lane with ACHD's Development Review staff.

As noted above, City Staff recommends that the center access be removed from the plan, unless otherwise approved by City Council.

Pathways (UDC [11-3A-8](#)) & Sidewalks (UDC [11-3A-17](#)):

There are no multi-use pathways depicted on the Pathways Master Plan for this site. Walkways are proposed throughout the site for pedestrian access and interconnectivity. A 7-foot wide attached sidewalk exists along Franklin Rd. abutting the site within the influence area of the intersection transitioning to a 5-foot wide detached sidewalk for the remaining site frontage. **A 7-foot wide attached sidewalk exists along N. Ten Mile Rd., which should be a minimum 6-foot wide detached sidewalk, separated from the curb by a minimum 8-foot wide tree lawn/parkway, consistent with Street Section A in the TMISAP (see pg. 3-20). A 10-foot wide pathway is preferred along Franklin Rd. and Ten Mile Rd. based on ACHD's adopted Livable Streets Performance Measures but not required. Staff is not requiring the Applicant to replace the existing 7-foot wide attached sidewalks and 5-foot wide detached sidewalk that run along both arterials.**

The Applicant is proposing what appears to be 6-foot wide sidewalks along both sides of W. Fred Smith Street and Public Street C. **Staff recommends that the Applicant construct 10-foot wide detached pathways along both sides of these streets in accordance with ACHD's adopted Livable Street Performance Measures and UDC 11-3A-5.**

West Ada School District (WASD) recommends the addition of a micro-path from the plaza area between Street A and Street B to the sidewalk along Ten Mile Road. This location would be a prime location for a bus stop.

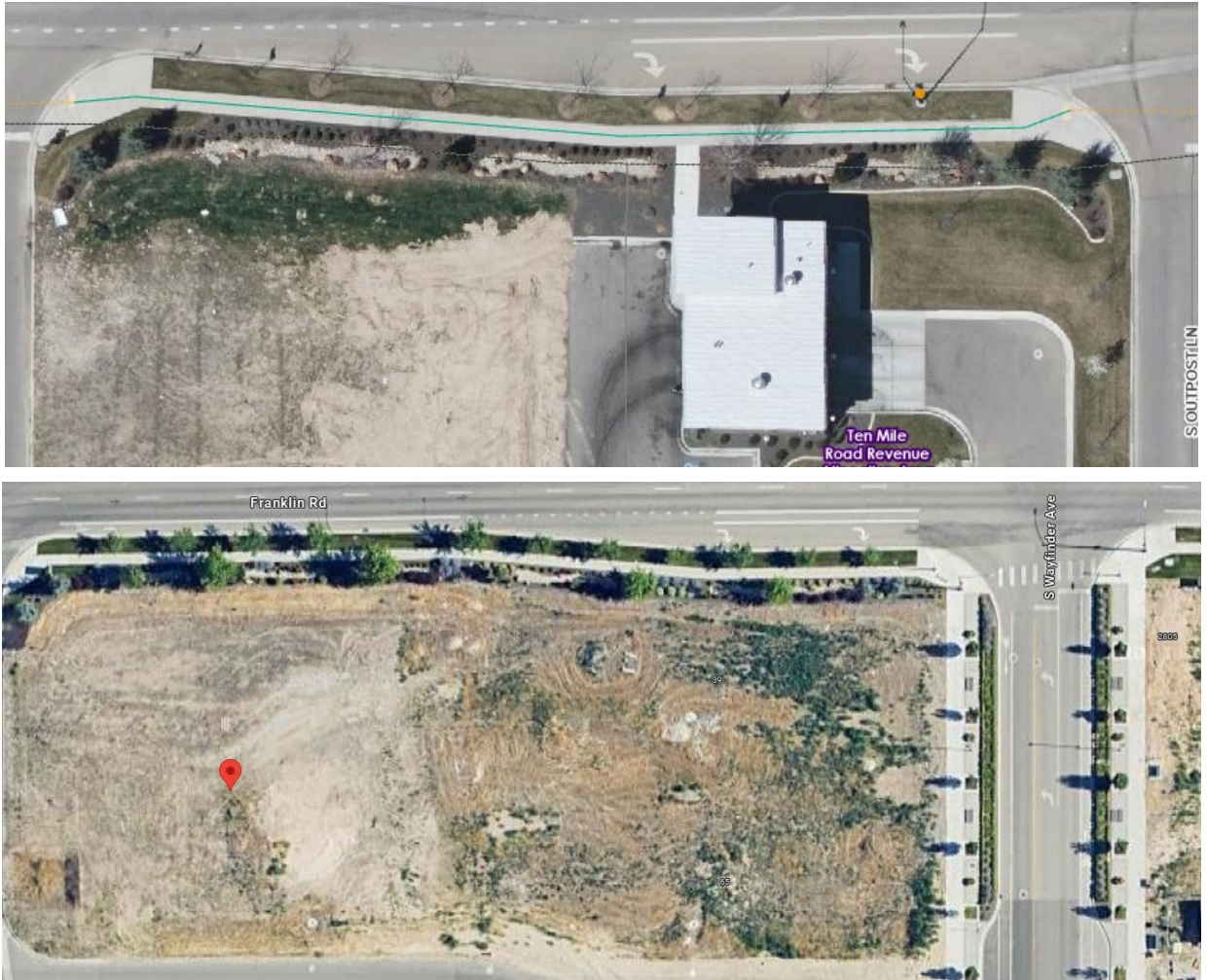
Landscaping (UDC [11-3B](#)):

Street buffer landscaping is required to be provided with the subdivision in accord with the widths specified in UDC [Table 11-2A-8](#) for the R-40 zoning district and [11-2B-3](#) for the C-G zoning district based on the street classification and planted in accord with the standards listed in UDC [11-3B-7C](#). A landscape plan was submitted for the proposed subdivision landscaping, included in Section VIII.B.

Required street buffer widths are as follows: 25-feet along W. Franklin Rd., an arterial street; 25-feet along N. Ten Mile Rd., an arterial street; 20-feet along N. Wayfinder Avenue, a collector street; and . The street buffers along W. Franklin Rd., N. Ten Mile Road, and the portion along N. Wayfinder Ave. east of the driveway access nearest the intersection appear to meet the minimum width standard.

Multiple common lots for the street buffers are depicted on the plat and they should be maintained by the property owner or business owners' association in accord with UDC 11-3B-7C.2b.

The number of trees proposed in buffers meets the minimum standard required by UDC 11-3B-7; however, the TMISAP requires an enhanced street buffer to align with the TM Center Subdivision directly to the south. (refer to figure below). Furthermore, Staff finds that the Applicant should enhance the landscaping around the Ten Mile Creek on Lot 10, Block 3 to create an attractive linear open space for the development.



Landscaping is required in common open space areas in the R-40 portion of the development in accordance with the standards listed in UDC [11-3G-3E](#).

A calculations table is included on the landscape plan submitted with this application demonstrating compliance with the above standards; however, Staff recommends that the applicant enhance the street buffers in accordance with the TMISAP guidelines (pages 3-26, 3-27, 3-28, 3-29 & 3-30.

Waterways (UDC [11-3A-6](#)):

The Ten Mile Creek bisects the southwest corner of this site and is proposed to be left open as an amenity for the development in accord with UDC 11-3A-6, which requires laterals to be piped unless improved as a water amenity or linear open space.

Utilities (UDC [11-3A-21](#)):

Connection to City water and sewer services is required in accord with UDC 11-3A-21.

Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances. **Pedestrian-scale street lights consistent with Street Sections A and B in the TMISAP are required along W. Franklin Rd. and N. Ten Mile Rd. (see pg. 3-22). Streetlights shall be placed in the dry utilities' corridor on either side of N. Wayfinder Avenue in accord with Street Section E in the TMISAP (pg. 3-23).**

Dry utilities should be located at the back of the curb in the dry utilities corridor along S. Ten Mile Rd. and W. Franklin Rd. in accord with Street Sections A and B in the TMISAP (pg. 3-22).

A 5-foot wide dry-utilities corridor should be provided along both sides of S. Wayfinder Avenue; both wet utilities may be located in the street.

Pressurized Irrigation System (UDC [11-3A-15](#)):

Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC 11-3A-15.

Storm Drainage (UDC [11-3A-18](#)):

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18. [A Preliminary Geotechnical Engineering Report](#) dated 03/06/2020 was submitted with this application; **an updated copy should be submitted prior to or with the first final plat application.**

B. CONDITIONAL USE PERMIT FOR MULTI-FAMILY DEVELOPMENT

Conditional use permit (CUP) for a multi-family development containing a total of 390 residential dwelling units (200 1-bedroom units, 174 2-bedroom units, and 16 3-bedroom units) in the R-40 zoning district for The Gateway at 10 Mile.

The proposed development plan is in substantial compliance with the conceptual development plan and building elevations included in the Development Agreement (Inst. #[2021-082775](#)) as required.

Specific Use Standards (UDC 11-4-3):

The proposed use is subject to the following standards: *(Staff's analysis/comments in italic text)*

[11-4-3-27](#): MULTI-FAMILY DEVELOPMENT:

A. Purpose.

1. To implement the goals and policies of the Comprehensive Plan:
 - a. Plan for safe, attractive, and well-maintained neighborhoods that have ample open space, and generous amenities that provide varied lifestyle choices.
 - b. Require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities as part of new multi-family residential and mixed-use developments.
2. To create multi-family housing that is safe and convenient and that enhances the quality of life of its residents.
 - a. To create quality buildings and designs for multi-family development that enhance the visual character of the community.
 - b. To create building and site design in multi-family development that is sensitive to and well-integrated with the surrounding neighborhood.
 - c. To create open space areas that contribute to the aesthetics of the community, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents.

B. Site design.

1. Residential buildings shall provide a minimum setback of ten (10) feet unless a greater setback is otherwise required by this title and/or title 10 of this Code. Building setbacks shall take into account windows, entrances, porches, and patios, and how they impact adjacent properties.

The residential buildings look to meet the minimum setback requirement of 10-feet as required.

2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street or shall be fully screened from view from a public street. ***The site plan depicts screened trash enclosures not visible from a public street; all proposed transformer/utility vaults and other service areas shall comply with this requirement.***
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway, and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standards would create an inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as outlined in section 11-5B-5 of this title. ***The floor plans submitted with this application depict patios and balconies that exceed this standard.***
4. For this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. ***None of these areas were used in the open space calculation.***
5. No recreational vehicles, snowmobiles, boats, or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. ***The Applicant shall adhere to this standard.***
6. The parking shall meet the requirements outlined in chapter 3, "regulations applying to all districts", of this title. ***The proposed parking meets and exceeds UDC standards (see parking analysis below). Additionally, the Applicant has provided seven (7) storage buildings/garage structures intended for use as either storage or additional parking for tenants.***
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office. *Located in clubhouse.*
 - b. A maintenance storage area. *Located in clubhouse.*
 - c. A central mailbox location, including provisions for parcel mail, that provides safe pedestrian and/or vehicular access. *Located in clubhouse*
 - d. A directory and map of the development at an entrance or convenient location for those entering the development. *Depict on site plan*

The site plan submitted with the Certificate of Zoning Compliance application should depict the location of these items in accord with this standard.

C. *Common open space design requirements.*

1. The total baseline land area of all qualified common open spaces shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. ***The multi-family portion of the site is 17.5 acres, requiring 1.75 acres (76, 052 square feet) of baseline open space according to the standard. The Applicant is proposing 10.52% of baseline open space, totaling 1.84 acres (80,157 square feet), exceeding the requirement.***
2. All common open spaces shall meet the following standards:
 - a. The development plan shall demonstrate that the open space has been integrated into the development as a priority and not for land use after all other development elements have been designed. Open space areas that have been given priority in the development design have:
 - (1) Direct pedestrian access;

- (2) High visibility;
 - (3) Comply with Crime Prevention through Environmental Design (CTED) standards; and
 - (4) Support a range of leisure and play activities and uses.
- b. Open space shall be accessible and well-connected throughout the development. This quality can be shown with open spaces that are centrally located within the development, accessible by pathway and visually accessible along collector streets or as a terminal view from a street.
 - c. The open space promotes the health and well-being of its residents. Open space shall support active and passive uses for recreation, social gathering, and relaxation to serve the development.

Staff finds the proposed open space areas within the multi-family development comply with these standards by providing open space that is well connected, highly visible, and promotes health and well-being by supporting a range of leisure and play activities with the proposed amenities and general design of the open space. See the submitted landscape plan and rendering for a visual of compliance with this standard.

- 3. All multi-family projects over twenty (20) units shall provide at least one (1) common grassy area integrated into the site design allowing for general activities by all ages. This area may be included in the minimum required open space total. Projects that provide safe access to adjacent public parks or parks under a common HOA, without crossing an arterial roadway, are exempt from this standard.
 - a. Minimum size of the common grassy area shall be at least five thousand (5,000) square feet in area. This area shall increase proportionately as the number of units increase and shall be commensurate to the size of the multi-family development as determined by the decision-making body. Where this area cannot be increased due to site constraints, it may be included elsewhere in the development.
 - b. Alternative compliance is available for these standards if a project has a unique targeted demographic; utilizes other place-making design elements in Old-Town or mixed-use future land-use designations with collectively integrated and shared open space areas.

The submitted plans feature three common grassy open space areas, each 5,000 square feet in size that exceed the requirement. These areas are situated internally to the site, adjacent to Building "F", adjacent to the clubhouse, and between Buildings "E" and "D".

- 4. In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or fewer square feet of living area. *None of the units are below 500 square feet (s.f.) of living area.*
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *There are 320 units proposed between 500 and 1,200 s. f.; therefore, a total of 1.84 acres (80,000 square feet) of common open space is required.*
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *There are 70 units proposed that are over 1,200 s.f. of living area; therefore, a total of 0.56 acres (24,500 square feet) of common open space is required.*

At a minimum, a total of 104,500 s.f. (or 2.40-acres) of outdoor common open space is required to be provided in the proposed development. A total of 113,424 square feet (or 2.60-acres) is proposed to be provided in excess of UDC standards. Overall, the proposed qualified open space complies with the standards in 11-4-3-27C.

5. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty (20) feet.

The common open space areas depicted for the overall multi-family development meet this requirement.

6. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units.

Staff is not aware of any phasing for the proposed multi-family project.

7. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to a collector or arterial streets unless separated from the street by a berm or constructed barrier at least four (4) feet in height, with breaks in the berm or barrier to allow for pedestrian access.

The Applicant is not including or requesting that the required 25-foot street buffer along N. Ten Mile Road (arterial roadway) and W. Franklin Road (arterial roadway) be included as part of the open space calculations. However, these frontage improvements are required with the development of the proposed commercial portion of the development.

D. *Site development amenities.*

1. All multifamily developments shall provide for quality of life, open space, and recreation amenities to meet the particular needs of the residents as follows:

- a. *Quality of life.*

- (1) Clubhouse.
- (2) Fitness facilities.
- (3) Enclosed bike storage.
- (4) Public art such as a statue.
- (5) Dog park with a waste station.
- (6) Commercial outdoor kitchen.
- (7) Fitness course.
- (8) Enclosed storage

- b. *Open space.*

- (1) Community garden.
- (2) Ponds or water features.
- (3) Plaza.
- (4) Picnic area including tables, benches, landscaping, and a structure for shade.

- c. *Recreation.*

- (1) Pool.
- (2) Walking trails.
- (3) Children's play structures.
- (4) Sports courts.

- d. *Multi-modal amenity standards.*

- (1) Bicycle repair station.
 - (2) Park and ride lot.
 - (3) Sheltered transit stop.
 - (4) Charging stations for electric vehicles.
2. The number of amenities shall depend on the size of the multifamily development as follows:
 - a. For multifamily developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multifamily development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one (1) from each category.
 - c. For multifamily development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one (1) from each category.
 - d. For multifamily developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection (D), provided that these improvements provide a similar level of amenity.

To satisfy the specific use standards for the proposed 390 multi-family units the decision-making body may deem if the proposed amenities for the multi-family development is sufficient. According to the submitted plans and narrative, the applicant believes they have included four qualifying amenities, each from a different category. The proposed amenities consist of the following:

- **Clubhouse**
- **Swimming pool**
- **Fitness center**
- **Pickleball court**
- **Three 5,000 square foot open space areas**
- **Dog park**
- **Bike repair station**
- **Enclosed storage**

All amenities are located within the central open space lot. The Applicant is proposing multiple amenities from the “Quality of Life” category, and missing an amenity from the “Open Space” category. The Applicant should add a picnic area that includes tables, benches, and a structure for shade in one of the open space grassy areas to meet the requirements of UDC Code 11-4-3-27.D for the site. Overall, the proposed amenities satisfy the required standards.

E. *Landscaping requirements.*

1. Development shall meet the minimum landscaping requirements by chapter 3, "regulations applying to all districts", of this title.
2. All street-facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three (3) feet wide.

- b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted.
- c. Ground cover plants shall be planted in the remainder of the landscaped area.

According to the submitted landscape plans, the Applicant is showing compliance with this standard.

- F. *Maintenance and ownership responsibilities.* All multifamily developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features.

The applicant shall comply with this requirement and provide said document at the time of CZC submittal.

Landscaping (UDC [11-3B](#)):

Street buffer landscaping is required to be provided with the subdivision improvements as noted above in Section VI.A.

Parking: Off-street vehicle parking is required for the proposed multi-family dwellings as set forth in UDC Table [11-3C-6](#). Based on (200) 1-bedroom units, 174 2- bedroom units, and 16 3-bedroom units, a minimum of 735 off-street spaces are required with 390 of those being in a covered carport or garage, and 39 spaces designated for guest parking. **A total of 744 spaces are proposed, including 363 carports provided, 231 standards provided, and 150 garages provided. The proposed parking exceeds the minimum standards per the UDC code. Furthermore, the Applicant has provided seven storage buildings, totaling 82 storage garages, designated for either storage purposes or additional parking for tenants.**

Bicycle parking is required per the standards listed in UDC [11-3C-6G](#) and should comply with the standards listed in UDC [11-3C-5C](#). One bicycle parking space is required for every 25 proposed vehicle parking spaces or portion thereof. Based on 744 spaces, a minimum of 30 spaces are required. The site plan states a total of 30 spaces are proposed for the multi-family portion of the development. **Bike racks should be provided in central locations for each building as proposed and comply with the standards listed in UDC [11-3C-5C](#).** *According to the submitted plans, the Applicant is demonstrating compliance with this standard.*

Fencing (UDC [11-3A-7](#)): A 6' privacy fence is proposed on the north and west side of the multi-family development. *Staff recommends that the Applicant submit a detail of the fencing at the time of CZC submittal.*

Building Elevations (UDC [11-3A-19](#); [Architectural Standards Manual](#); [TMISAP](#))

Conceptual building elevations were submitted for the various types of multi-family units proposed in this development as shown in Section VIII.F. All of the structures consist of a complementary mix of materials, including stucco, brick veneer, horizontal exterior cement siding, metal parapet capping, glazing, and colors.

The Applicant should work with the Police Dept. on a plan for emergency police access into each building entry point using a multi-technology keypad (see Section IX.D for more information).

An administrative Design Review application is required to be submitted for approval of the design of the multi-family structures and clubhouse prior to submittal of building permit application for those structures. An application for Certificate of Zoning Compliance is also required to be submitted along with the Design Review application. The design of the structures is required to be consistent with the design standards in the Architectural Standards Manual and the design guidelines in the [TMISAP](#) as noted in the Development Agreement (Inst. #[2021-082775](#)) (see the Application of the Design Elements table on pg. 3-49 of the TMISAP).

VII. DECISION

A. Staff:

Staff recommends approval of the proposed Preliminary Plat and Conditional Use Permit per the provisions included in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on October 3, 2024. At the public hearing, the Commission moved to recommend approval of the subject Preliminary Plat and Conditional Use Permit requests.

1. Summary of Commission public hearing:

- a. In favor: Jeff Bower & Andy Daleiden on behalf of the Developer
- b. In opposition: Justin Hamilton, Karla Ehlers, and Natalie Wixom Purcell
- c. Commenting: Jeff Bower & Andy Daleiden on behalf of the Developer
- d. Written testimony: Many letters in opposition have been submitted and can be viewed under the Public Comments folder as part of the public record.
- e. Staff presenting application: Bill Parsons, Current Planning Supervisor
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Concerns with adding more high-density residential in this area and the negative impacts it could have on Meridian's small community feel.
- b. Adding high-density multi-family housing at the corner of Ten Mile Road and Franklin Road would worsen safety and traffic concerns, as the roadways in this area are already unable to handle the current traffic volume.
- c. More overcrowding in the school system.

3. Key issue(s) of discussion by Commission:

- a. In 2020, this project was annexed into the City with a concept plan that included a mix of commercial uses and multi-family housing.
- b. The question before the Commission tonight is whether the Developer is meeting the UDC for the Conditional Use Permit and conditions listed in the Development Agreement.
- c. Commission recommended the Council support the waiver to allow the right-in/right-out access on Ten Mile Road.

4. Commission change(s) to Staff recommendation:

- a. Commission modified condition 2.(h.) of the preliminary plat to read: "Remove Public Street B from the plat limiting the number of access points on a busy arterial street near the intersection per UDC 11-3A-3, unless otherwise waived by City Council."
- b. Commission removed condition 3.(c.) of the Landscape Plan: "Depict a minimum 5-foot wide detached sidewalk along S. Ten Mile Rd. in accord with UDC 11-3A-17A."

5. Outstanding issue(s) for City Council:

- a. The Applicant requests a council waiver to allow a right-in/right-out on Ten Mile Road. ACHD has approved the access contingent upon the Council's decision.

C. The Meridian City Council heard these items on November 19, 2024. At the public hearing, the Council moved to approve the subject PP and CUP requests.

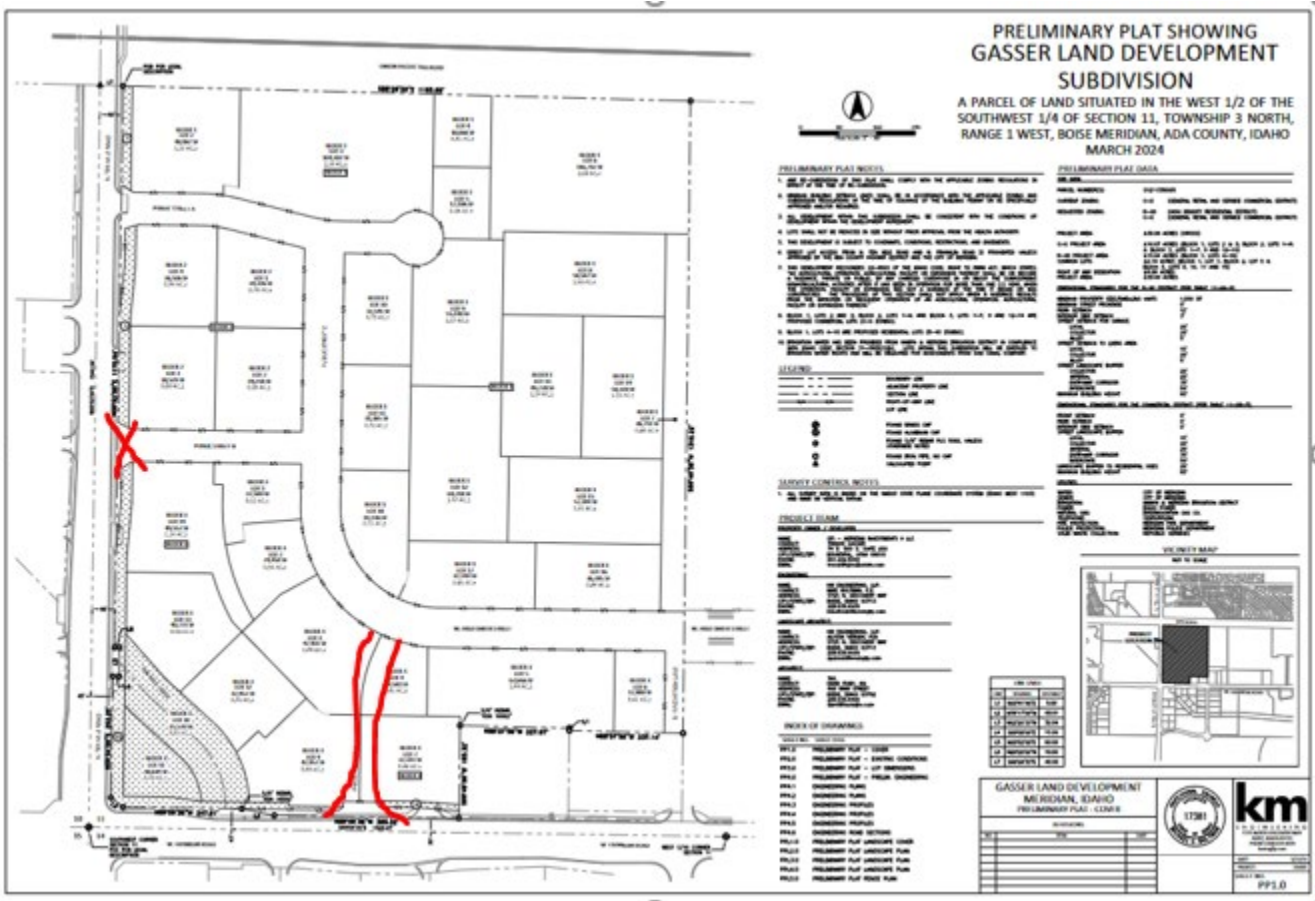
1. Summary of the City Council public hearing:

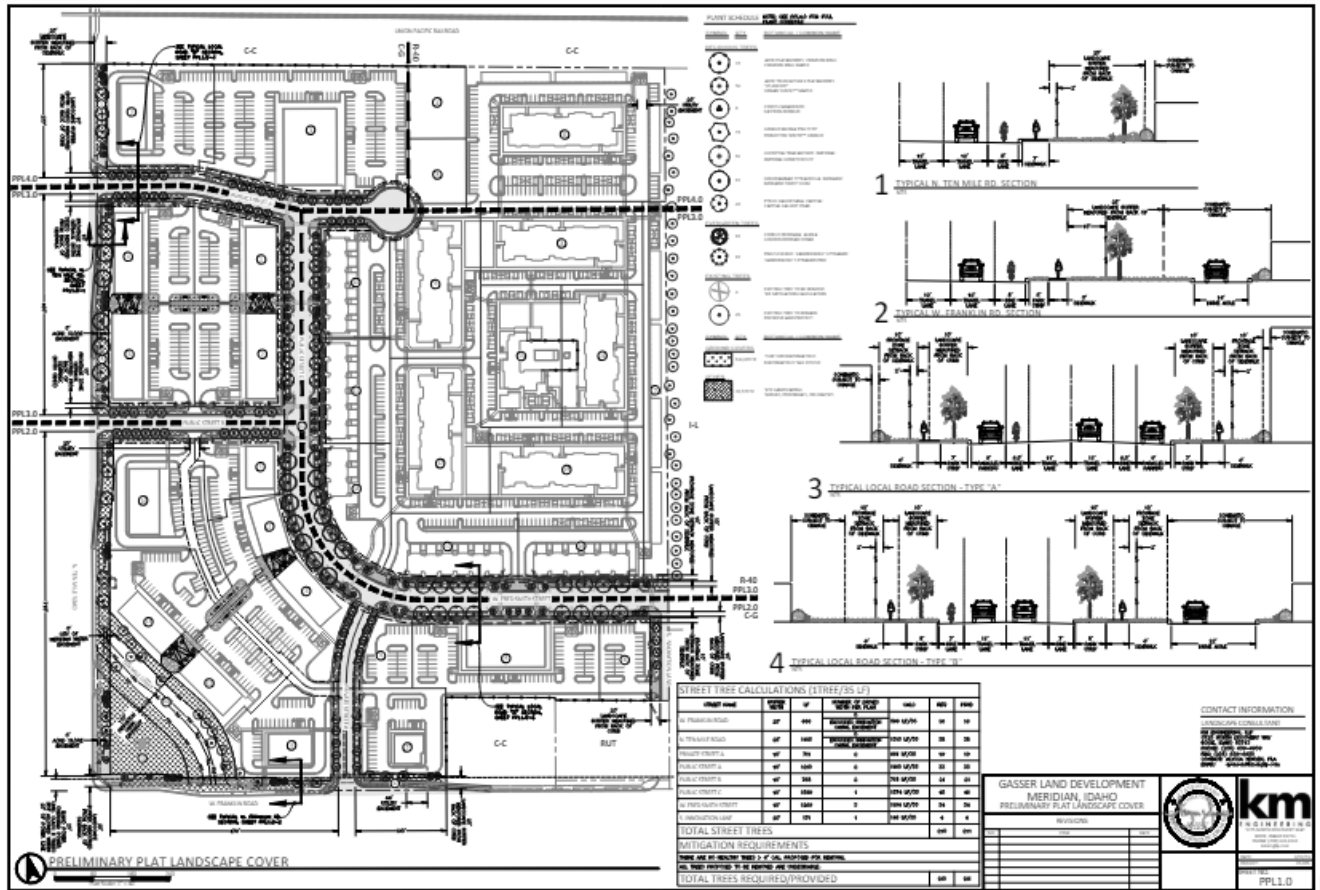
- a. In favor: Jeff Bower & Andy Daleiden on behalf of the Developer
- b. In opposition: None
- c. Commenting: None
- d. Written testimony: David Wright, Bridget, and Krystal Larson
- e. Staff presenting application: Bill Parsons
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:
 - a. None
3. Key issue(s) of discussion by City Council:
 - a. None
4. City Council change(s) to Commission recommendation:
 - a. Council approved the applicant's request for the RIRO accesses to Ten Mile and Franklin Roads.

VIII. EXHIBITS

A. Preliminary Plat (date: 03/11/2024)





C. Overall Conceptual Site Plan

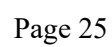


THE GATEWAY AT 10 MILE

CONCEPTUAL, SUBJECT TO CHANGE



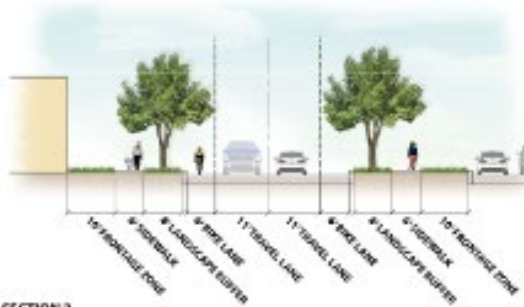
CONCEPTUAL, SUBJECT TO CHANGE



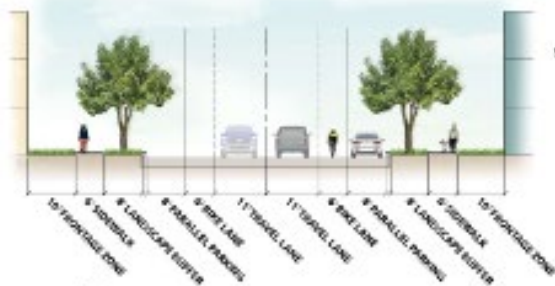
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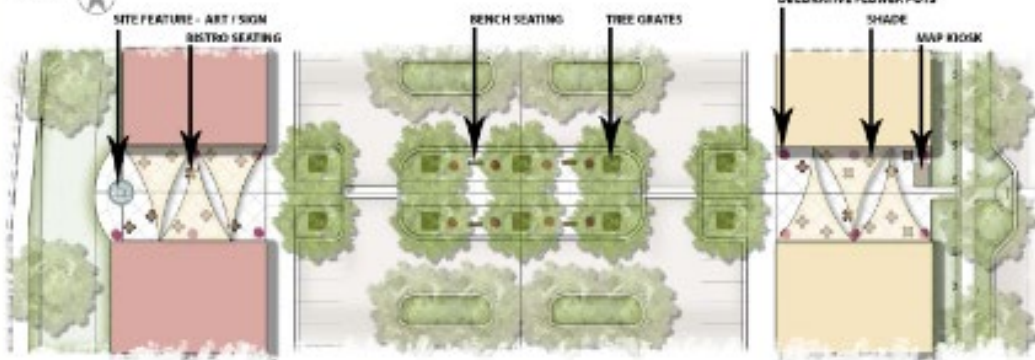
SECTION 1



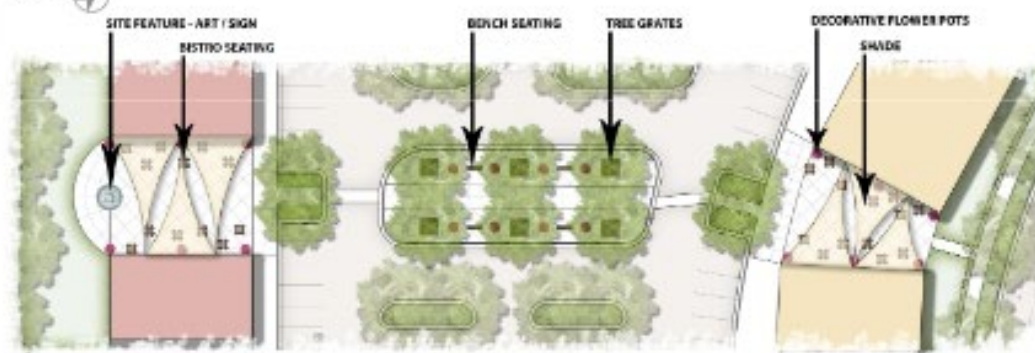
SECTION 2



PLAZA A



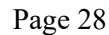
PLAZA B



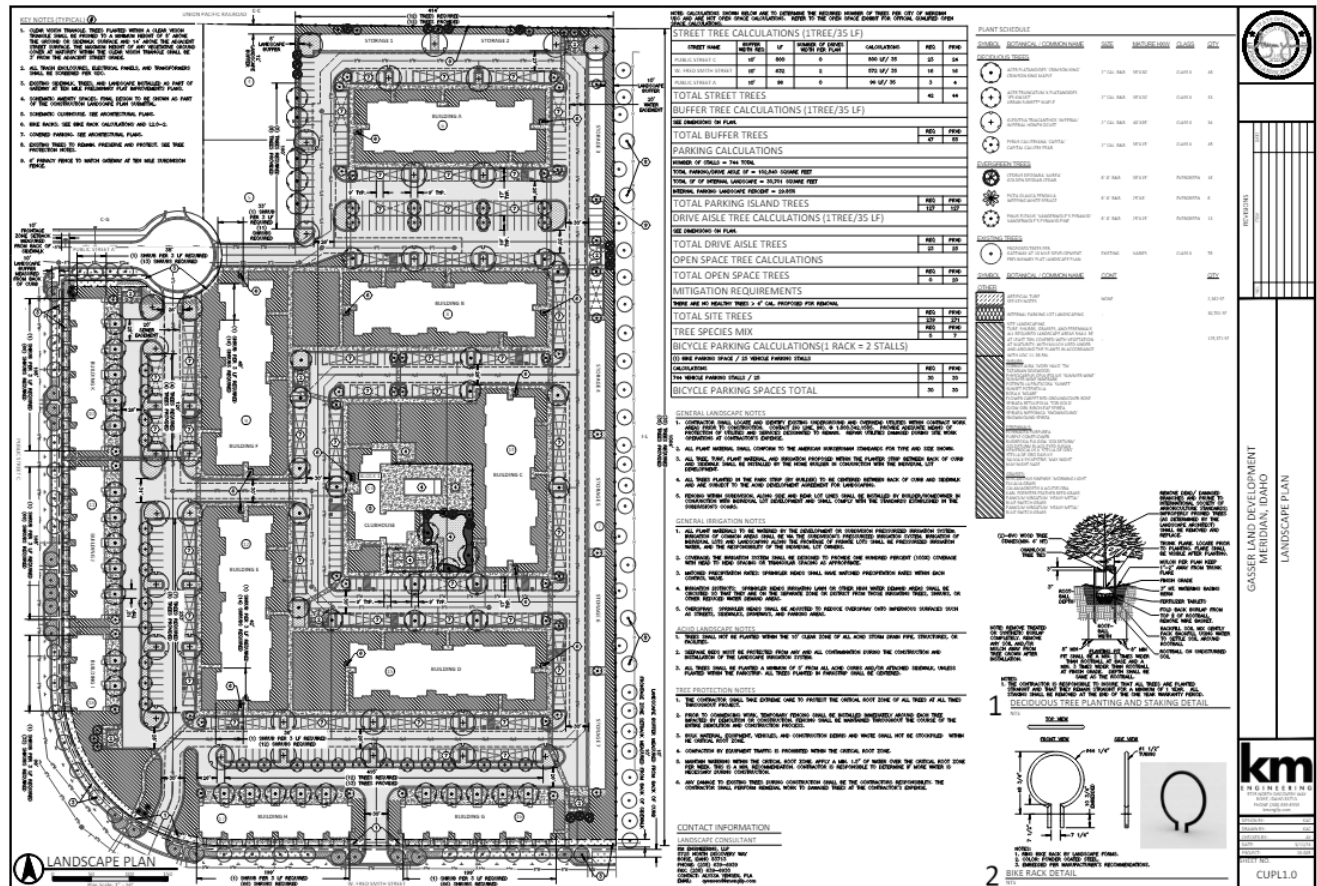
DEVELOPMENT PLAN

D. Pedestrian & Bicycle Circulation Plan

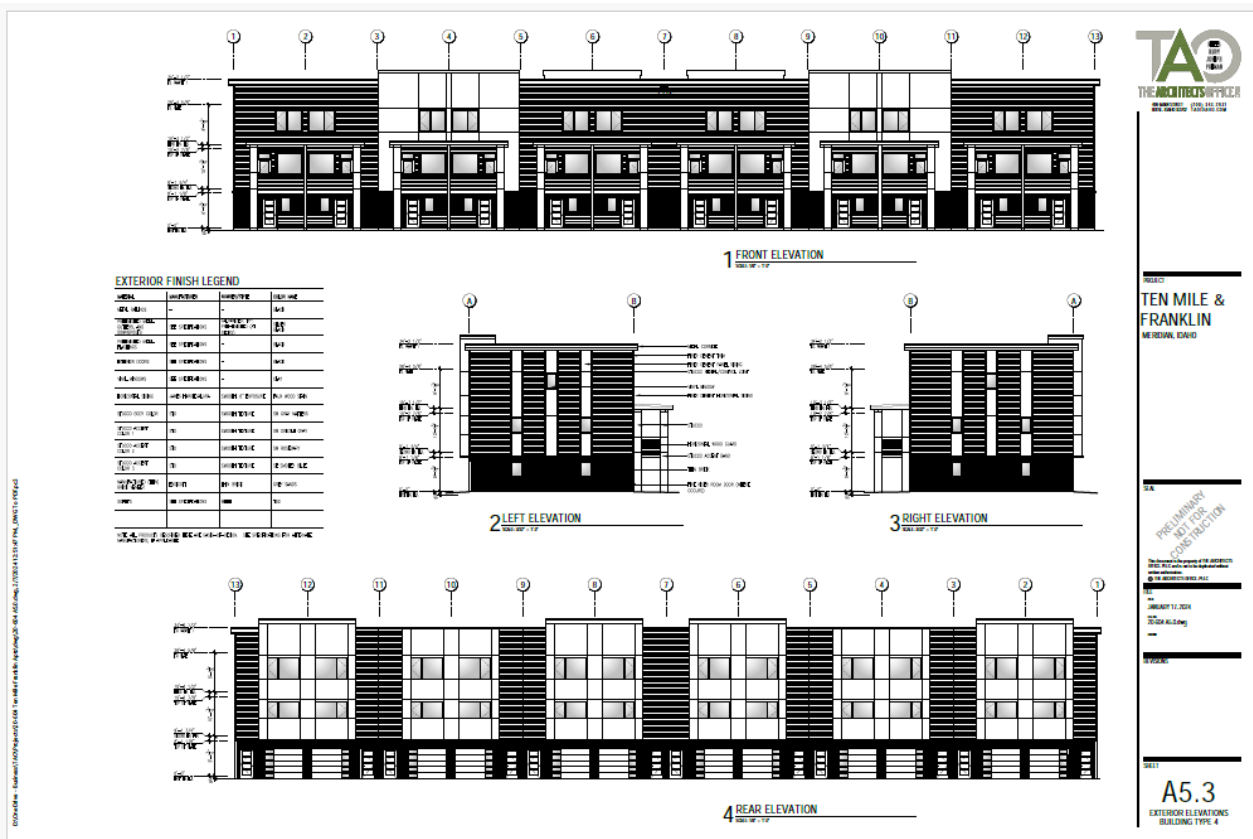
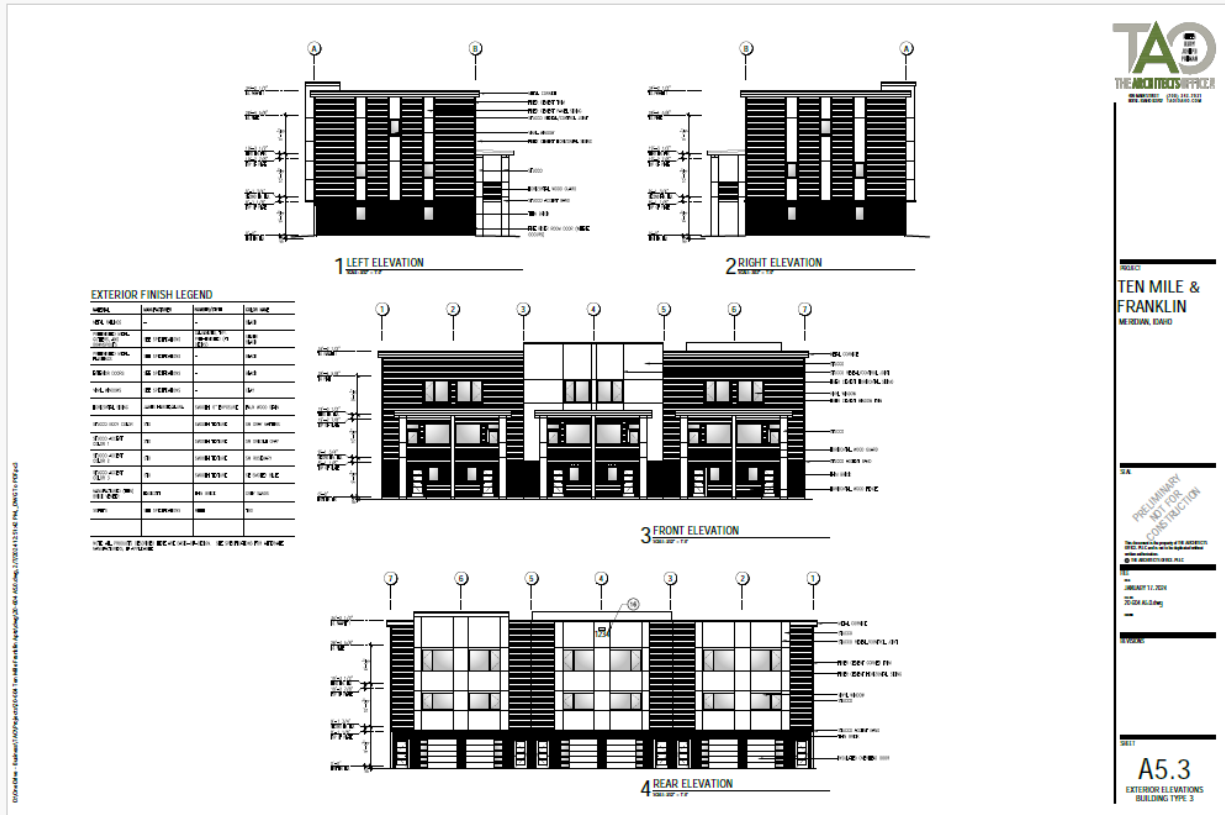


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F. Landscape Plan for Multi-Family Portion of Development (date: 03/11/2024)



[illegible]



IX. PLANNING DIVISION

1. Future development shall comply with the provisions in the existing Development Agreement (Inst. #[2021-082775](#), H-2020-0046) and the conditions in this report.

Preliminary Plat:

2. The final plat shall include the following revisions:
 - a. All street buffers are required to be placed in a common lot or on a permanent dedicated buffer, maintained by the property owner or business owners' association, as set forth in UDC [11-3B-7C.2b](#). *Required street buffers are a minimum of 20-feet wide along N. Wayfinder Avenue, a future collector street. Street buffers are measured from the back of sidewalk where attached sidewalks are provided and from the back of curb where detached sidewalks are provided per UDC 11-3B-7C.1a. The Applicant shall depict the 20-foot buffer along Wayfinder Avenue in a common lot or as a permanent easement on the plat.*
 - b. The extension of N. Wayfinder Avenue on the east property boundary shall be included in the construction drawings for the first phase of development; or, may be included in a separate submittal to ACHD. **Replace S. Innovation lane with N. Wayfinder Avenue on the plat.*
 - c. Wayfinder Avenue shall be constructed to stub to the site's east property line. Construct a temporary cul-de-sac turnaround at the terminus of Wayfinder Avenue. The temporary cul-de-sac turnaround shall be paved with a minimum 50-foot turning radius. If the temporary turnaround extends onto a buildable lot, the entire lot shall be encumbered by an easement and identified on the plat as a non-buildable lot until the street is extended. Install a sign at the terminus of the stub street, stating, "THIS IS A DESIGNATED COLLECTOR ROADWAY. THIS STREET WILL BE EXTENDED AND WIDENED IN THE FUTURE") shall
 - d. The Applicant shall construct a temporary cul-de-sac turnaround at the terminus of Wayfinder Avenue with a minimum of a 50-foot paved turning radius per ACHD guidelines.
 - e. Depict a minimum 12-foot wide sidewalk, street trees in wells, and pedestrian scale lighting along N. Wayfinder Avenue with street lights in the dry utilities' corridor on either side of the street consistent with Street Section E in the TMISAP (see pg. [3-23](#)).
 - f. A 5-foot wide dry-utilities corridor shall be provided along both sides of N. Wayfinder Avenue; both wet utilities may be located in the street. Streetlights shall be placed in the dry utilities corridor on either side of the street in accord with Street Section E in the [TMISAP](#) (pg. 3-23).
 - g. Dry utilities shall be located at the back of the curb in the dry utilities corridor along S. Ten Mile Rd. and W. Franklin Rd. in accord with Street Sections A and B in the TMISAP (pg. [3-22](#)).
 - h. Remove Public Street B from the plat limiting the number of access points on a busy arterial street near the intersection per UDC 11-3A-3, unless otherwise waived by City Council. City Council granted a waiver to allow a right-in/right-out only access to Ten Mile Road and Franklin Road, including the required deceleration lanes for each access.
 - i. Depict a cross-access easement on Lots 3 – 9, Block 3 for the right-in/right-out drive aisle on the plat.
 - j. Lot 6, Block 3 shall take access from W. Fred Smith Street; direct lot access to S. Innovation (Wayfinder Avenue) shall be prohibited.

- k. Depict W. Fred Smith Street connecting from the east and construct Street C and Fred Smith Street as a 36-foot wide local commercial street sections with 2-travel lanes, parking on both sides of the roadway, vertical curb, gutter, and bulb-outs at intersections and pedestrian crossings with an 8-foot planter strip and 10-foot wide multi-use pathways on both sides of the roadway on the plat.
 - j. Depict the Irrigation District's easement for the Ten Mile Creek.
 - k. Lot 4 and 5, Block 1 shall remain preserved for the future Civic portion of the site for future development of a multi-modal transit station, in accordance with DA provision 5.1d.
 - l. Lot 11, Block 3 shall remain preserved to relocate an ACHD pond and/or coordinate with the Meridian Parks Department to determine a future plan for the lot in accordance with DA provision 5.1n.
 - m. Lot 10, Block 3 shall remain preserved for the Ten Mile Creek and associated easement.
 - n. Add a note to the plat requiring cross-access for all lots that do not have access to a public street.
 - o. The Applicant shall construct the decorative crossings and the plaza areas as shown in Exhibit C, Section VIII with the commercial development.
3. The landscape plan included in Section VIII.C shall be revised as follows:
- a. Street buffers at the required width are required to be placed in a common lot or on a permanent dedicated buffer, maintained by the property owner or business owners' association as set forth in UDC [11-3B-7C.2](#) (see #2a above for required widths).
 - b. Include a detail of the proposed fencing at the time of CZC submittal.
 - ~~c. Depict a minimum 5-foot wide detached sidewalk along S. Ten Mile Rd. in accord with UDC [11-3A-17A](#).~~
 - d. Depict a micro-path from the plaza area between Street A and Street B to the sidewalk along Ten Mile Road for the future bus stop.
 - e. Depict a minimum 12-foot wide sidewalk, street trees in wells, and pedestrian scale lighting along N. Wayfinder Avenue with street lights in the dry utilities corridor on either side of the street consistent with Street Section E in the TMISAP (see pg. [3-23](#)).
 - f. Depict 10-foot wide detached pathways along both sides of W. Fred Smith Street and Public Street C in accordance with ACHD's adopted Livable Street Performance Measures and UDC 11-3A-5.
 - g. Enhance the street buffers along Ten Mile Road and Franklin Road to align with the TM Center Subdivision directly to the south and meet the guidelines outlined in the TMISAP.
 - h. Enhance the landscaping around the Ten Mile Creek on Lot 10, Block 3 to create an attractive linear open space for the development.
 - i. Construct the plaza areas with the commercial development consistent with the renderings in Exhibit C, Section VIII.
4. The subject property shall be subdivided prior to issuance of the first Certificate of Occupancy for the development as set forth in the Development Agreement (Inst. #2021-132704, provision #5.1d).
5. Submit an updated Geotechnical Engineering Report prior to or with the first final plat application.

6. The Applicant shall comply with ACHD's conditions of approval.
7. Construct half plus twelve feet of the future collector street (N. Wayfinder Avenue) from the south to the north along the southeast corner property boundary shall be constructed prior to or with the first phase of development in accord with the specifications noted herein.
8. A Certificate of Zoning Compliance and Design Review application shall be submitted for each structure (or group of structures if desired) and approved prior to submittal of application(s) for building permits. The plans submitted shall comply with the design elements of the Ten Mile Interchange Specific Area Plan (TMISAP) and the design standards in the Architectural Standards Manual (see the Application of Design Elements matrix on pg. 3-49 of the Plan) as required by the Development Agreement. The commercial portion of the development should incorporate similar design elements, colors and materials as the residential portion of the development.

Conditional Use Permit:

9. The multi-family development shall have an ongoing obligation to comply with the specific use standards listed in UDC 11-4-3-27.
10. Add a picnic area that includes tables, benches, and a structure for shade in one of the open space grassy areas to meet the requirements of UDC Code 11-4-3-27.D for the site at the time of CZC submittal.
11. The multi-family development shall record a legally binding document that states the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in UDC 11-4-3-27F.
A recorded copy of said document shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy for the development.
12. Comply with building code requirements for separation between structures within the development.
13. The site and/or landscape plan submitted with the Certificate of Zoning Compliance shall be revised as follows:
 - a. Depict the locations of the property management office, maintenance storage area, central mailbox location (including provisions for parcel mail, that provide safe pedestrian and/or vehicular access), and a directory and map of the development at an entrance or convenient location for those entering the development in accord with UDC 11-4-3-27B.7.
 - c. All transformer and utility vaults and other service areas shall be located in an area not visible from a public street, or shall be fully screened from view from a public street in accord with UDC 11-4-3-27B.2.
 - d. Add a picnic area that includes tables, benches, and a structure for shade in one of the open space grassy areas to meet the requirements of UDC Code 11-4-3-27.D for the site at the time of CZC submittal.
 - g. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units as set forth in UDC [11-4-3-27C.3.](#)
13. A Certificate of Zoning Compliance and Design Review application(s) shall be submitted for the multi-family development and approved prior to submittal of application(s) for building permits. The plans submitted shall substantially comply with those approved with this application and with any required modifications noted herein. The design of structures shall comply with the design elements of the Ten Mile Interchange Specific Area Plan (TMISAP) (see the Application of Design Elements

matrix on pg. 3-49 of the Plan) and the design standards in the Architectural Standards Manual. *One application may be submitted for the entire multi-family development.*

I. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=344373&dbid=0&repo=MeridianCity>

J. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=344378&dbid=0&repo=MeridianCity>

K. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=344375&dbid=0&repo=MeridianCity>

L. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=344632&dbid=0&repo=MeridianCity&cr=1>

M. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=346027&dbid=0&repo=MeridianCity>

N. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=346190&dbid=0&repo=MeridianCity>

O. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=345722&dbid=0&repo=MeridianCity>

P. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=347726&dbid=0&repo=MeridianCity>

Q. KUNA SCHOOL DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=344407&dbid=0&repo=MeridianCity>

R. VALLEY REGIONAL TRANSIT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=345874&dbid=0&repo=MeridianCity&cr=1>

ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=348785&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Preliminary Plat (UDC 11-6B-6)

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)

Council finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the conditions of approval in Section IX.

2. Public services are available or can be made available and are adequate to accommodate the proposed development;

Council finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.

3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;

Council finds there are no roadways, bridges or intersections in the general vicinity that are in the IFYWP or the CIP.

4. There is public financial capability of supporting services for the proposed development;

Council finds there is public financial capability of supporting services for the proposed development.

5. The development will not be detrimental to the public health, safety or general welfare; and

Council finds the proposed development will not be detrimental to the public health, safety or general welfare.

6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Council is unaware of any significant natural, scenic or historic features that need to be preserved with this development.

B. Conditional Use Permit (UDC 11-5B-6E)

The Commission shall base its determination on the Conditional Use Permit requests upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

Council finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the R-40 and C-G zoning districts (see Analysis, Section V for more information).

2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.

Council finds that the proposed use is consistent with the future land use map designations of MU-COM and Civic and is allowed as a conditional use in UDC Table 11-2B-2 in the R-40 and C-G zoning districts.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

Council finds the proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for this area and with the intended character of the area and that such uses will not adversely change the character of the area.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

Council finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other properties in the area. The Commission and Council should weigh any public testimony provided to determine if the development will adversely affect other properties in the vicinity.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

Council finds that essential public services are available to this property and that the use should be adequately served by these facilities.